

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

HOLCOMBE, et. al,
Plaintiffs

NO. 5:18-CV-00555-XR
(consolidated cases)

vs.

UNITED STATES OF
AMERICA,
Defendant

SUGGESTION OF DEATH UPON THE RECORD

COMES NOW, undersigned counsel for Plaintiff JOSE RODRIGUEZ and hereby suggests upon the record, pursuant to Federal Rule of Civil Procedure Rule 25, that Plaintiff Jose Rodriguez unfortunately died on Monday, January 11, 2021 during the pendency of this action.

Plaintiff Jose Rodriguez tragically lost his son Richard C. Rodriguez on November 5, 2017. Plaintiff Jose Rodriguez was devastated by the tragic loss of his son Richard Rodriguez. Plaintiff Jose Rodriguez never had an opportunity to say goodbye to his loving son. Rather, Plaintiff Jose Rodriguez was alerted by other family members, authorities, and media outlets, that his son had been fatally injured while worshiping the Lord at church on that Sunday Morning; the same church his son regularly attended on Sundays. The unimaginable nightmare phone call that conveyed this heartbreaking news brought Jose Rodriguez and his family to their knees as the heartbreak and pain was overwhelming. This phone call continues to haunt the Rodriguez family to this day. As documented by Plaintiff Jose Rodriguez during his deposition, as well as by Plaintiff's expert, Dr. David Feltoon, and even Defendant's expert,

Stephanie Larew, Plaintiff Jose Rodriguez suffered a tremendous loss of companionship and society, pecuniary loss, and experienced emotional pain, torment, and suffering as a result of the tragic loss of his son.

Jose Rodriguez, a kind, compassionate, and loving father, soldiered on confident this Court would right the wrong on the Government's neglect. Sadly, his march for justice ended on January 11, 2021. As counsel previously conveyed in open Court during a prior hearing so very long ago, "*justice delayed is justice denied*". Counsel prays that the Court take notice of this unfortunate tragedy and denial of justice and diligently conclude the trial of this matter before another victim of the Government's neglect is denied justice.

Respectfully Submitted,

By:/s/ Daniel J. T. Sciano
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ATTORNEYS FOR PLAINTIFFS
*REGINA AMADOR, Individually and
As Independent Administratrix of the
Estate of RICHARD C. RODRIGUEZ,
Deceased, a/k/a RICARDO
RODRIGUEZ, JOSE RODRIGUEZ and
GUADALUPE RODRIGUEZ*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served on all counsel of record pursuant to the Federal Rules of Civil Procedure on January 21, 2021.

/s/ Daniel J. T. Sciano

Daniel J. T. Sciano